

OGC Has Reviewed

14 May 1959

MEMORANDUM FOR THE FILE

SUBJECT: Military Leave Entitlement for Extended Active Duty

1. Our advice was requested as to an employee's entitlement to 15 days military leave upon being called to extended active duty.

2. The particular individual involved is a staff employee who had EOD'd on September 22, 1958. His reserve status is that of a Second Lieutenant, U. S. Army Reserve. Pursuant to orders issued by the Headquarters, First United States Army, dated 26 February 1959, he was ordered, "with his consent," to report for active duty for the period 19 May 1959 to 18 May 1961.

3. We advised that on the basis of those orders, ~~that~~ the employee would be entitled to 15 days military leave. In arriving at this conclusion, we considered 5 USCA, Section 30r (military leave provision), and the decisions of the Comptroller General at 37 Comp. Gen. 255; id. 313; id. 608.

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Assistant General Counsel

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